

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

XTC CABARET (DALLAS), INC. §
D/B/A XTC CABARET; FINE DINING §
CLUB, INC. D/B/A SILVER CITY §
CABARET; COASTER LINE §
COASTER CLUB INC. D/B/A TIGER §
CABARET; GUILLERMO BELTRAN §
DEL RIO TIRADO; DEDRRICK §
NERO; and RICHARD BOTHMANN, §
JR., §
§
Plaintiffs, §
§
v. § CIVIL ACTION NO. 3:24-CV-0042-B
§
THE CITY OF DALLAS and THE CITY §
OF DALLAS POLICE DEPARTMENT, §
§
§
Defendants. §

ORDER

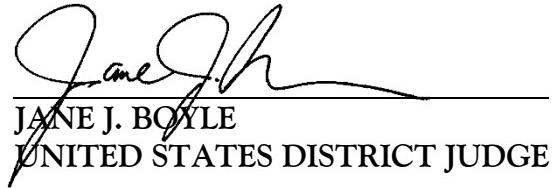
On Tuesday, February 6, 2024, the Court held a hearing on Plaintiffs' Motion for Temporary Restraining Order (Doc. 8). Having considered the parties' arguments, the Court **DENIES** the Motion. Although a close call, Plaintiffs did not demonstrate a likelihood of success on the merits of their First Amendment claims. Nor did Plaintiffs show that they are likely to prevail on their Due Process claims or their Fourth Amendment claims. Accordingly, because Plaintiffs failed to establish a likelihood of success on any of their constitutional claims, a temporary restraining order is not warranted. See *Greer's Ranch Café v. Guzman*, 540 F. Supp. 3d 638, 644–45 (N.D. Tex. 2021) (O'Connor, J.).

In conjunction with this ruling, the Court **ORDERS** the parties to file a joint status report with the Court **on or before February 22, 2024**. The joint status report shall contain the following

information: (1) the parties' proposed dates for conducting the preliminary injunction hearing; (2) the parties' positions on whether to consolidate the trial on the merits with the preliminary injunction hearing pursuant to FED. R. CIV. P. 65(a)(2); and (3) any other issues which the parties wish to bring to the Court's attention.

SO ORDERED.

SIGNED: February 8, 2024.



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE

A handwritten signature of "Jane J. Boyle" is written over a solid horizontal line. Below the line, the name "JANE J. BOYLE" is printed in capital letters, followed by "UNITED STATES DISTRICT JUDGE" on the next line.